


Below is an Order of the Court.


PETER C. MCKITTRICK
U.S. Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF OREGON

In Re

SUNSHINE DAIRY FOODS
MANAGEMENT, LLC, and KARAMANOS
HOLDINGS, INC.

Debtors.

Bankruptcy Case
No. 18-31644-pcm11 (Lead Case)

18-31646-pcm11

SCHEDULING ORDER RE: MOTION FOR
SUBSTANTIVE CONSOLIDATION OF
DEBTORS (DOC. 306)

The court held a preliminary hearing on August 2, 2018 on the Unsecured Creditors Committee's Motion to Substantively Consolidate the Jointly Administered Debtors into One Bankruptcy Estate (Doc. 306). For the reasons stated on the record and good cause appearing therefor,

IT IS HEREBY ORDERED that:

1. A final evidentiary hearing in this matter will be held October 19, 2018 at 9:00 a.m. at the United States Bankruptcy Court for the District of Oregon, 1001 SW 5th Ave., Suite 700, Portland, Oregon 97204, Courtroom No. 1.

2. The parties must complete discovery 14 days prior to the hearing.

1 3. No later than October 10, 2018, the parties must:

2 (A) File and serve on all parties any further briefing, identifying
3 the issues to be tried. Briefs shall not exceed 20 pages in
4 length, unless the court authorizes an over-length brief. Any
5 motion to authorize the filing of an over-length brief must be
6 filed no later than 3 business days before the brief is due.

7 (B) Deliver to the court (do not electronically file) the original
8 and two paper copies of all exhibits (except impeachment
9 exhibits). Serve a copy of the exhibits on all parties. File
10 and serve a list of those exhibits. Debtors' exhibits should be
11 numbered and listed starting with "1." Creditor's exhibits
12 should be lettered and listed starting with "A." Exhibits in
13 excess of 10 pages should be tabbed and presented in a three-
14 ring binder. If there are multiple parties or numerous
15 exhibits, contact the Courtroom Deputy at 503-326-1566 for
16 number assignments. Except for good cause shown, no exhibits
17 will be received in evidence at the hearing unless presented in
18 accordance with this order.

19 (C) Deliver to the court (do not electronically file) a copy of any
20 deposition that will be offered as substantive evidence, with
21 those portions sought to be admitted underlined. (This
22 provision is not applicable to depositions used to refresh
23 recollection or for impeachment.)

24 (D) File and serve a list of witnesses who will or may be called to
25 testify, except those who will be called solely for impeachment
26 purposes. Failure to disclose witnesses as required by this

1 paragraph may result in the witnesses being prohibited from
2 testifying at the hearing. Any objections of the type described
3 in Fed. R. Civ. P. 26(a)(3) must be served and filed within four
4 days of filing and service of the witness list. Failure to
5 timely disclose any such objection will be deemed a waiver of
6 the objection.

7 2. This scheduling order shall not be modified except upon a showing
8 of good cause and leave by the court. Requests for extension of any
9 time limit or for setover of the evidentiary hearing must be by written
10 motion supported by an affidavit stating sufficient facts demonstrating
11 good cause, appropriate use of prior time, and that the
12 extension/continuance was requested at the earliest time practical. The
13 affidavit must indicate the number of prior extensions/continuances,
14 that the moving party has consulted with opposing counsel regarding the
15 request, and whether the opposing counsel consents or objects to the
16 requested extension/continuance. The above procedure must be followed
17 even if all parties stipulate to the extension/continuance.

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19 Cc: all ECF participants
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